

CHAPTER ONE

INTRODUCTION

A. Background of Study

Justice is one of the values of humanity¹, which often debated about its barometer. Justice will be a long discourse in the history of human civilization,² since obtaining justice is a basic right for every human being. Nevertheless, justice to one party does not mean justice to the other party. As a consequence, the dominance of human lust manifestations is often to be a barometer of justice arbitrarily. Even though the concept of justice had outlined in the Al-Qur'an and tried to be applied in social life, it does not surely make humans agreement with decisions taken or the law applied.

For instance, one of the never-ending issues in justice is gender equality. The issue that feminists are particularly suing is women in Indonesia are still discriminated³ and have not fully attained the equality of rights as well as men in several ways. As the consequences, the issue of gender equality challenges Muslims' reliance on rights, roles, and responsibilities between men and women. In addition, it has caused Muslims' misunderstanding about sharia and justice interpretation. In this case, the lack of understanding of justice will cause another inequality.

¹ Kemetrian agama, *Tafsir Al-Qur'an Tematik; Hukum, Keadilan, dan Hak Asasi Manusia* (Jakarta: Aku Bisa, 2010), p.18

² Agung Hendaryana, *Memantapkan Profesionalisme Polri Di bidang Penegakan Hukum Dalam Rangka Mewujudkan Supremasi Hukum*, thesis unpublished, Postgraduate Program-Master of law Diponegoro University Semarang 2010, p. 1

³ Researcher from CEDAW (The Convention on the Elimination of All Forms of Discrimination against Women) Working Group, Estu Fanani, said women still often get discriminatory treatment in the political, economic, social, cultural and civil fields. The form also varies, including physical and psychological violence, negative stigma, domestication and marginalization. See: www.kompas.com 21 August 2016, accessed on 19 December 2018 at 12.31

In Western civilization, even though the suicide was as a despotic man (dzalim), this is only considered a zulm only to the extent in which this action revoking the khidmat (devotion) of a citizen against the State. Therefore, the injustice was not against himself, but against the Country and society. Here, the question is, is the state's law more important than an individual's right, while the highest purpose of building state is to keep the rights of every single man?

They regard equality as justice. As a consequence, since the man does not give everything an equal portion, names injustice (*zulm*). Such in giving right between man and women, and between men with other human beings. On the contrary, Islam taught *a'tii kulla dzi haqqin haqqahu*, gives something according to his rights. However, is giving the same portion to every single human justice? Is building a family in the spirit of equality also justice? Is justice only about the relationship between one creature with another person or his country? So, what is the real justice mean? What should be the basis in this justice?

Al-Attas as one of the contemporary Muslim scientists who actively criticize the problems of modern human life offers alternative ideas to be a solution to various crises in Islamic society, one of which is the crisis of justice. The concept of justice ('*adl*) offered is very interesting and worthy of review because it combines the answers to contemporary problems and classical Islamic sources. Al-Attas was one of Muslim philosopher who carried out such a kind of endeavor to bring the pride of Muslims back.⁴ Therefore, seeing this discourse on justice, the researcher wants to examine how the concept of justice according to Syed Naquib Al-Attas.

B. Problem of Study

In order to highlight the focus of this research, based on the background above, the researcher formulates the problem of this study as **“How was Al-Attas’ idea on Justice?”**

⁴ Naquib Al-Attas, *Risalah Untuk Kaum Muslimin*, (Kuala Lumpur: ISTAC, 2001), p. 4-5

C. Purpose of the Study

Based on the previous formulation, the purpose of this research to analyze and describe a comprehensive idea of Al-Attas on Justice.

D. Significance of the Study

This study is hoped to be a valuable contribution. This is classified into two kinds, as follow:

a. Theoretical of Significance

To enrich the literature treasury especially for student Aqeedah and Islamic Philosophy in Theology Faculty of Darussalam University.

b. Practical of Significance

1. To deliver information for further research about justice
2. To help the society in understanding the right concept of justice, in this case, Naquib Al-Attas' idea on justice. That will affect their behavior in real life.
3. This work is an effort to keep Muslim's faith Aqeedah from the hegemony of Western secular ideology which is more intensified on Islamic thought.

E. Literature Review

The researcher found out some research had relevancy with this research topic, those are:

First, **“Teori Keadilan, Studi Komparatif Atas Pemikiran John Rawls dan Fazlur Rahman”**, written by Ulumuddin, collegian of Islamic State University of Sunan Kalijaga Yogyakarta, 2009. The researcher of this thesis concerned about the concept of justice in John Rawls and Fazlur Rahman's sight by comparative method, to analyze the similarity and dissimilarity of their concept. This research highlights the moral and ethical, which has close relevancy with the theory of justice. Nevertheless, it greatly differs from the topic that will enlarge upon this research. The differential is on the personage, he is Syed Muhammad Naquib Al-Attas,

which exactly has a different idea.

Second, **“Konsep Keadilan Dalam Al-Qur’an” (Telaah Kata *Al-’adl* dan *Al-Qist* Dalam Tafsir al-Qurtubi)** written by Akhmad Saikuddin, collegian of Islamic State University of Sunan Kalijaga Yogyakarta, 2014. The researcher of this thesis concerned to describe the meaning of *al-adl* and *al-qist* and their use in Holy Qur’an with the descriptive analysis method. The researcher concludes that *al-’adl* and *al-qist*, both often meant by justice. But *al-’adl* is more general than *al-qist*. *Al-’adl* is disguised invisible justice (*khafi*) such as the judge’s decision. But *Al-qist* is clear visible justice (*zahir*) such as the obligation in giving proper measurement (*al-kayl wa al-wazn*). Nevertheless, the research it greatly differs from the topic that will enlarge upon this research. The differential is on the subject. Previous research defines the concept of justice based on *tafsir* book, but this research will define the concept of justice base on the personage’s idea, he is Syed Muhammad Naquib Al-Attas.

Third, **“Syed Muhammad Naquib Al-Attas, The Concept Of Religion (*Din*) And Civilization (*Tamaddun*)”**, written by Esti Rahmaningrum collegian of researcher Darussalam University, Ushuluddin Faculty, 2014. This study discussed some important points of Syed Naquib Al-Attas’ idea on *din* and *tamaddun* by the descriptive analysis method. The researcher looked that Al-Attas is the first scholar who released a new theory of *din* and *tamaddun*. It is intently described a concept of the *din* and *tamaddun* completely. She concludes *din* is not only a religious concept, but it is also very applicable to be the foundation of civilization. Although this research has the same personage, it has greatly differed from the topic that will enlarge upon this research. It is his concept of justice that discussed infrequently by many scholars, as the solution of secular Western thought.

F. Theoretical Framework

This study based on a philosophical approach.⁵ The conceptual foundation used as an affirmation of the research title or defining several concepts used in research by referring to reliable and credible sources in accordance with the scientific field.⁶ Given the urgency of the theoretical framework itself, the researcher sees that opinions and concepts from highly competent thinkers and scholar are required.

Etymologically, in the Oxford dictionary, justice means “*the justice treatment of people*”.⁷ Justice means not being biased or put something in order properly.⁸ The word al-’*adl* in terms of Arabic language contains various meanings,⁹ and the most popular one is placing something in its proper place”,¹⁰ which has an antonym of injustice (al-zulm). Justice also interpreted as a balanced act in accordance with the provisions, does not justify the wrong and does not blame the right, despite facing certain consequences. Terminologically justice is about action, decision, treatment, and so on. Justice, including; not exceed or reduce than is reasonable; impartial and give an unbiased decision; in accordance with the ability and level or position, holding on to the truth, and not arbitrary.¹¹ Therefore, to solve the problems that will be faced in the future, as a consequence of

⁵ Philosophical approach in Islamic studies endeavors to conclude universally by examining the problem’s root. This is basic method radically and integral, because discussed something about its essence and reality. See: Supiana, *Metodologi Studi Islam* (Jakarta: Ditjen Pendis Kemenag RI, 2012), p. 96

⁶ Tim Penyusun, *Pedoman Penulisan Skripsi*, (Ponorogo: Unida Press, 2015), p.28

⁷ A.S.Hornby, *Oxford Advanced Learner’s Dictionary of Current English*, (Oxford: Oxford University Press, 2015), p. 842

⁸ Abi al-Fadhl Jamaluddin Muhammad al-Mishriy ibn Mukarram ibn Manzur al-Afriqiy, t.t., *Lisan al-’Arab*, Jilid XI, (Beirut: Dar Sader), p. 430

⁹ See: jamaluddin Muhammad Ibn Mukarram al-Ansariy, *Lisan al-’Arab*, juz 13-14 (Mesir: Dar al-Misriyyah li al-Ta’lif wa al-Tarjamah, t.t.), p.456-463; Muhammad Husain al-Tabatabaiy, *Al-Mizan fi al-Tafsir al-Qur’an*, juz 12 (Beirut: Musasah al-A’la li al-Matnu’at, t.t.), p. 330

¹⁰ Jamil Saliba, *al-Mu’jam al-Falsafiy bi Alfaz al-’Araby yah wa Inkliziyyah wa al-Latiniyyah*, Juz II (Beirut: Dar al-Saqafah, t.t.), p. 33

¹¹ Peter Salim dan Yenny Salim, *Kamus Bahasa Indonesia Kontemporer*, (Jakarta: Modern English Press, 1991), p. 12

misconception injustice, then we need an opinion to look at the thoughts or idea of the figures to be discussed.

According to Al-Ghazzali, Justice is one of the cardinal virtues that produced by inter-action of intellect, self-assertion, and appetite.¹² Justice is the virtue of keeping the golden mean between extremes of science, self-assertion, and appetite, and how to maintain a balance between them. And its opposite is injustice (*zulm*). That is going beyond the prescribed limits. Justice requires that someone should fulfill someone's rights. For instance, justice in politics means that various groups in the city be organized with the proper attention and do that allowed for the different elements. Everything should be placed in its proper place.¹³ His thought to be a reference of the thinker or philosopher after.

Al-Ragib al-Isfahaniy divides justice into two kinds. First, absolute justice whose judgment based on reason and universal, for it will not change and disappear throughout the ages; secondly, the justice set forth through the provisions of syari'ah which exchangeable and possible cancellation, in line with the importance and change of times.¹⁴ In his thought, we can determine its barometer according to the type of that justice.

Justice often misunderstood by equality, especially in terms of quantity. However, both greatly differ. A representative example is in the matter of fighters for gender equality. They have a misconception about justice. They approached the verses of the Qur'an which say that man and woman inequality but *taqwa*,¹⁵ whereas, in their view, the general example shows man and woman not being treated equally in rights and obligations.

¹² Prof. M. 'Umaruddin, *The Ethical Philosophy of Al-Ghazzali*, (Delhi: Adam Publishers and Distributers, 1996), p.197

¹³ *Ibid.*, p. 203-204

¹⁴ Al-Ragib al-Isfahaniy, *Mu'jam Mufradat Alfaz al-Qur'an*, (Kairo: Dar al-Katib al-'Araby, t.t.) , p. 337

¹⁵ "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted. (Al-Hujuraat [49]:13)

This is corroboration about their misconception of justice. Actually, the case is every single human need to treat properly on his necessary and ability, not similarly. As a consequence, it causes misconception of justice that should be absolute value if given according to human nature (*fitrah*).

Many scholars and philosophers have discussed the concept of justice. Looking at the complex problem regarding understanding to the misconception of justice, the researcher tries to present a concept from a contemporary and competent personage who masters contemporary problems and can be a handle or a reference as a solution to the confusion that occurs. Therefore, the researcher wants to raise Syed Naquib Al-Attas' idea as a foundation in justice case.

G. The Methodology of Study

The method is a way of thinking according to the rules and systems that have been determined.¹⁶ While research is a series of planned and systematic steps to solve problems or get answers for questions.¹⁷ Research carried out based on data that are written from various sources relating to the subject matter of the researcher who adopted it, whether it is primary, namely the character's work, or secondary, namely other sources that closely related to the ideas of the personage adjusted with existing research objects.¹⁸ So, in this research, the researcher uses the methodology below:

1. Research Design

Research design is a procedure and technique in planning research that is useful as a guide for developing strategies that produce research models.¹⁹ The sort of research design that the researcher used is library research, which focuses on thought's

¹⁶ Drs. Sudarto, M.Hum, *Metode Penelitian Filsafat*, (Yogyakarta: Raja Grafindo Persada, 2002), p. 41

¹⁷ Rony.H.Sumitro, *Metodologi Penelitian Hukum*, (Jakarta: Ghalia, 1982), p. 19

¹⁸ Winarko Surakhman, *Pengantar Penelitian Ilmiah: Dasar Metode Teknik* (Bandung: Tarsito, 1990), p. 182. see Anton bakker and Ahmad Charris Zubair, *Metodologi Penelitian Filsafat* (Yogyakarta: Kanisius, 1990), p. 61

¹⁹ Tim Penyusun, *Pedoman Penulisan Skripsi.....*, p. 28-29

character and all of the impacted aspect.²⁰ Thus, she tries to gather data with deep relevancy with the topic of research.

2. Research Object

The research object is the nature of the state of an object, person, or the center of attention and research objectives.²¹ Library research has two main data sources, which be the reference. They are primary and secondary sources. The primary source could direct the researcher to the data of the topic.²² On the other hand, the secondary will strengthen the researcher's argumentation.

a. The Primary Data Sources

The primary sources in this research are books associated with the topic as follow:

On Justice and the Nature of Man: A Commentary on Surah Al-Nisa (4): 58 And Surah Al-Mu'minun (23): 12-14 which written by Naquib Al-Attas himself and published by IBFIM, Kuala Lumpur, Malaysia, 2015. In his book, he provides us with his *Tafsīr*, his explication and commentary of the verses in two *Sūrahs* of the Qur'an: *Sūrah al-Nisā'* verse 58 and *Sūrah al-Mu'minūn* verse 12-14. He shares his philosophical insights, which reveal his nearly unique perception. The singular crucial point of this work is, there is an intimate connection between justice and the nature of man as an individual person.

Risalah Untuk Kaum Muslimin. Written by Naquib Al-Attas himself and published by ISTAC, Kuala Lumpur, Malaysia, 2001. In this book, Al-Attas discusses many concepts, such as the concept of culture, religion, and one of them is the concept of justice. The concepts that Al-Attas describes in this book as a response and warning to Muslims for the world's problems,

²⁰ Anton Baker, *Metode-Metode Filsafat*, (Jakarta: Ghalis Indonesia, 1984), p.138

²¹ Tim Penyusun, *Pedoman Penulisan Skripsi*,..... p. 29

²² Atang Abdul Halim and Dr. Jaih Mubarrok, *Metodologi Studi Islam*, (Bandung: PT Rema Rosdakarya, 2003), p. 225

one of them is the Muslims have forgotten the main purpose of human creation. In addition, there are too many concepts of West thought that permeate Muslim thought so that Muslims slip from the main foundation, namely Islam.

Islam dan Secularism. Written by Naquib Al-Attas himself and published by PIMPIN, Bandung, 2010. Briefly, this book provides a basic understanding of the origin of Secularization that would cause confusion and thus discussing ways to isolate these elements and key concepts that neglects the nature of human to seek God in culture and civilization. In addition, one of the other concepts is justice. Numerous original and profound ideas are contained in this book—arrived at chiefly through a critical study of the Muslim tradition—such as the concepts of *din*, *'adl*, *hikmah*, *adab*, *ma'na*, *ta'dib*, and their significance in the development of an Islamic system of education.

Prolegomena to the Metaphysics of Islam. Which written by Naquib Al-Attas himself and published by ISTAC, Kuala Lumpur, Malaysia, 1995. No book of its kind, in profundity as well as the magnitude of scope and comprehensive grasp of modern intellectual challenges facing the contemporary Muslim World, appeared in the last century. The book deals with the fundamental question of the nature of 'worldview' according to Islam -a question that has never really been raised in our time. The fundamental elements of the worldview of Islam, together with the key terms and concepts that they unfold, are elaborated in detail in this book, including justice.

b. Secondary Sources

The researcher takes the secondary sources from the works written by other competent that concerned the works on justice which including books, articles, journal, website, etc.

3. Data Collection Techniques

The appropriate method of collecting data for such as this research is literary research. Literary research is research method for collecting relevant information according to the problem of research. This method is one of qualitative research method located in the library that analyzes document, books, journals, archives, reports, and so on.²³ This method facilitates the researcher in building the theoretical framework and proving hypothesizes according to Syed Muhammad Naquib Al-Attas' concept on justice.

4. Data Analysis Method

Data analysis is organizing, sorting, classifying, and categorizing data to find hypotheses from the data obtained.²⁴ Data Collection Techniques are intensive activities that require deep understanding, ingenuity, creativity, conceptual sensitivity, and hard work in a study.²⁵

After gathering data from sources, it will be analyzed using appropriate methods. They are the descriptive and analytical method. The aim of the descriptive method is describing the research's result to deliver a new understanding of the topic.²⁶ and describing the sources of research systematically. This will be beneficial for building a basic view of the justice concept.

The analytic method will be applied for discovering Syed Muhammad Naquib Al-Attas' concept on justice. Thus, with the collected data, the researcher will arrange, sort, group, and categorize it.

²³ Andi Prastowo, *Metode Penelitian Kualitatif Dalam Perspektif Rancangan Penelitian*, (Yogyakarta: Ar-Ruzz Media, 2011), p. 190

²⁴ L. Mleong, *Metodologi Penulisan Kualitatif*, cet. Ke-1 (Bandung: Remaja Rosdakarya, 1990), p. 10

²⁵ Tim Penyusun, *Pedoman Penulisan Skripsi*,.... p. 29

²⁶ Anton Bakker and Achmad Charris Zubair, *Metodologi Penelitian Filsafat*, (Yogyakarta: Kanisius, 1990), p. 54

H. System of Study

This Research containing four chapters, they are:

Chapter one is building the method of research that arranged by the background of the study, the problem of study, its purpose and importance. In this chapter, the researcher will explain some literature review about this domain of study, theoretical framework, methodology, and system of study.

In chapter two, the research emphasizes the basic information of the two variables, Syed Naquib Al-Attas and justice. The researcher will explain more about Biography of Syed Muhammad Naquib Al-Attas, which containing Al-Attas's Life History and His Education, Work of Scholarship, The Development of Al-Attas' thought; The definition of justice epistemologically and terminologically; the meaning of justice in Al-Qur'an according to interpreter (*mufassir*), ulama', and philosopher.

Chapter three discuss Syed Muhammad Naquib Al-Attas' concept on justice, which will be discussed systematically by the researcher as; human as central of Justice, justice as the Principal of 'Ilm, and justice as a reflection of Muslim's faith. This chapter will be the main topic of this writing.

Chapter four, this chapter will summarize several problems, which discussed in the previous chapters. Moreover, this chapter will discuss the result of the research, conclusion, suggestion, and continuing by closing.